

# **Exhibit N**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re Terrorist Attacks on September 11, 2001 03-md-1570 (GBD)(SN)

ECF Case

This document relates to:

*Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.* 15-cv-9903 (GBD) (SN)

ECF Case

**DECLARATION OF BRYAN RODRIGUES**

I, Bryan Rodrigues, pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1. I am more than 18 years of age and competent to testify in court to the matters stated below. The statements made in this Declaration are based upon my personal knowledge unless otherwise indicated.

2. I was a citizen of the United States on September 11, 2001, and remain so today. Attached as Exhibit A to this Declaration is a true and correct copy of my proof of citizenship.

3. At the time of these horrific terrorist attacks, I was a New York City Police Officer assigned to Transit Bureau District 2. I was present near the World Trade Center when passenger jets, hijacked and piloted by terrorists, plunged into the towers, detonating destruction, mayhem and unspeakable carnage that would endure for several hours without pause. These horrific memories will now last a lifetime for survivors like myself.

4. On September 11, 2001, I arrived at work assigned to the crime analysis unit. At approximately 9:30 a.m., other officers and I learned that a plane had struck the World Trade Center, so we proceeded to the scene. Upon arrival, I saw a large hole in the North Tower that was on fire. We assumed at the time that a small aircraft might have accidentally struck the tower. We went back into the command center, suited up with our gear, and grabbed emergency lanterns. My partner, Officer Libretti, and I responded to the Cortlandt Street subway station to assist with evacuating injured and non-injured persons from the area.

5. As we arrived on the scene, the second plane struck the South Tower. We then realized the tremendous size of the planes that had struck the towers and that these events were not likely due to an accident. Once we arrived at Barclay Street and West Broadway, our Commanding Officer instructed us to stand by that location and assist with removing injured persons and other civilians from the area. At that time, entering the Cortlandt Street subway was not safe due to large pieces of debris that were still falling from the towers. As we assisted with the evacuation, we observed what we initially thought were large pieces of debris falling from the towers. However, as the objects drew closer, we realized to our shock and disbelief that the objects were victims jumping from the burning towers.

6. Our supervisor then instructed us to respond to Chambers Street station located at Vessey Street and Church Street. As we arrived at that location, we ensured that there were no injured people or other civilians in the station. At token booth N-94, we joined with Sgt. Brady and Officer Barcheski. We then entered into the Concourse Level of the World Trade Center.

7. At that time, we heard yelling and saw people running, and we proceeded towards the sounds to offer assistance. When we reached Sbarro's restaurant, all of the power in the area went out. I turned on my lantern and observed people exiting to the street by the PATH train escalator. Suddenly, a strong wind started to blow in our faces and Sgt. Brady turned to us and yelled at us to run. As I turned and attempted to run, the wind picked me up and threw me several feet to the ground, severely injuring my back in the process. I crawled under a phone booth and hid for cover assuming a fireball was coming.

8. After the wind died down, the air was thick with dust and debris. The other officers and I called out to one another until we were reunited. I then used my lantern for light but it only illuminated about 1 or 2 feet in front of me. The building debris was so thick that I was afraid I would suffocate. The other officers and I were able to reach Barclay Street and West Street where paramedics had established a triage area. When I arrived, EMS personnel provided me with medical care in the back of an ambulance. While EMS assisted me, the second tower collapsed. EMS then closed the ambulance and drove away from the debris field. They took me to St. Vincent's Hospital for more medical treatment.

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9. Because of these terrorist attacks, I received physical injuries in the collapse of the buildings and during my escape from the fire and smoke filled destruction. In the course of the attack and my escape, I witnessed atrocities beyond the imagination of the average citizen. The situation could only be compared to a war zone. I was going about my everyday life in a peaceful manner when we were brutally attacked by terrorists and my life was altered forever.

10. Because of these terrorist attacks, I suffered the following specific physical injuries on September 11, 2001: a severe back injury, which ultimately resulted in back surgery involving L5-S1 total disc replacement for herniated discs, as well as extreme smoke inhalation from inhaling toxic gas, increased blood pressure, and significant eye irritation from the dust and debris. From 9-11 to the present, I have suffered from constant pain in my back. I am unable to stand, sit or walk for long periods. I am also unable to run, and climbing or descending stairs is difficult and painful.

11. After my back surgery on September 9, 2002, I continued to experience significant pain in my back and legs. While I attempted to return to work as a police officer after my back surgery, my doctors determined that I was physically unable to perform the full duties of that job. By July of 2003, I went before the New York City Police Department's Medical Board and they recommended that I be placed on accidental disability. I then continued to work in a limited capacity to the extent that I was able to do so. However, by October of 2003, the Board of Trustees of the Police Pension Fund had agreed with the Medical Board's prior decision and placed me on permanent accidental disability retirement.

12. Further, due to the thick fumes, dust, and debris that I inhaled on 9-11, I continue to suffer to this day with asthma, and I use a daily inhaler for my breathing issues and I receive monthly injections to alleviate my persistent cough. I continue to receive care and treatment from the World Trade Center Health Program for these certified and covered conditions related to my 9-11 injuries.

13. Attached as Exhibit "B" to this Declaration is a true and correct copy of my select relevant medical and disability records related to the treatment that I have received following the September 11, 2001 terrorist attacks.

14. I previously pursued a claim through the September 11<sup>th</sup> Victim Compensation Fund (VCF1) specifically related to my injuries incurred on the day of September 11, 2001, and my claim was determined to be eligible for compensation.

I declare UNDER PENALTY OF PERJURY that the foregoing is true and correct.  
EXECUTED on this 3rd day of January 2020.

Signature of Declarant, Bryan Rodrigues



# **Exhibits Filed Under Seal**